

House Study Bill 90 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S OFFICE
OF DRUG CONTROL POLICY
BILL)

A BILL FOR

1 An Act relating to drug control, including the criminal offense
2 of prohibited acts related to controlled substances and the
3 information program for drug prescribing and dispensing, and
4 providing a penalty.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.403, subsection 2, Code 2013, is
2 amended to read as follows:

3 2. Any person who violates this section, or who acts with,
4 enters into a common scheme or design with, or conspires with
5 one or more other persons to violate this section, is guilty of
6 a ~~serious misdemeanor~~ class "C" felony.

7 Sec. 2. Section 124.552, Code 2013, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 5. The program shall include a warning on
10 all reports stating that "Medicaid fraud is a crime. If you
11 suspect Medicaid fraud, call the Iowa Medicaid fraud hotline."
12 The warning shall include the toll-free telephone number of the
13 Iowa Medicaid fraud hotline.

14 Sec. 3. NEW SECTION. **124.556A Medical assistance program**
15 **prescription drug lock-in program.**

16 The board shall collaborate with the department of human
17 services to develop a procedure for the department of human
18 services to provide patient information to the board regarding
19 medical assistance recipients who are participating in the
20 prescription drug lock-in program. The patient lock-in
21 information shall be incorporated into the information
22 reporting database and accessible as provided in section
23 124.533.

24 EXPLANATION

25 This bill relates to the criminal offense of prohibited
26 acts related to controlled substances and the information
27 program for drug prescribing and dispensing (Iowa prescription
28 monitoring program).

29 The bill increases the criminal penalty for a conviction
30 for prohibited acts relating to controlled substances in Code
31 section 124.403 from a serious misdemeanor to a class "C"
32 felony. A serious misdemeanor is punishable by confinement for
33 no more than one year and a fine of at least \$315 but not more
34 than \$1,875. A class "C" felony is punishable by confinement
35 for no more than 10 years and a fine of at least \$1,000 but not

1 more than \$10,000.

2 The bill also requires the Iowa prescription monitoring
3 program to include a warning on all reports stating that
4 "Medicaid fraud is a crime. If you suspect Medicaid fraud,
5 call the Iowa Medicaid fraud hotline." The warning shall
6 include the toll-free telephone number of the hotline.

7 The bill directs the board of pharmacy to collaborate with
8 the department of human services to develop a procedure for the
9 department of human services to provide patient information to
10 the board regarding Medicaid recipients who are participating
11 in the prescription drug lock-in program. The information
12 is then to be incorporated into the information database and
13 accessible to pharmacists, prescribing practitioners, and
14 others as specified in the information access provisions for
15 the information program.